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**Constitutional Amendments and Referred Measures.** Although 1915 was an off year for elections, in the nine States which held elections a total of forty constitutional amendments and legislative measures appeared on the ballots and were acted upon by the voters at the polls. As compared with the 1914 election when two hundred eighty-six such proposals found their way on the ballots in thirty-one States and forty-two per cent were adopted, this year only thirteen of the forty or thirty-two per cent were successful. This year's elections were confined with the exception of California to States in the northern half of the section east of the Mississippi River. Thirty-five of the measures were straight constitutional amendments referred by the legislatures including a new constitution in New York containing some one hundred thirty-three changes to the present basic laws which was submitted to the voters in three sections and all rejected. Four legislative acts, two in Ohio, and two in California were referred by petition and defeated, and a proposition for a \$27,000,000 Canal Bond Issue won in New York State. Only two of the States holding elections, Ohio and California, have the initiative and no measures appeared in this way.

Preëminently among the issue stands out the defeated new constitution in New York which was framed by a constitutional convention in session four months during the summer of 1915. New York voted at a special election in the spring of 1914 in accordance with a constitutional provision that the question whether or not a convention shall be held, shall be submitted to the voters every twenty years, to hold a convention, and delegates to the convention were elected at the November election. The most important features of the new constitution were the proposals for a short ballot, in state administration, a limited form of home rule for cities, the establishment of a budget system, the power granted to the conservation commission and other matters of minor detail.

New York City was opposed to the constitution because complete home rule was not granted and because it did not change the old provision for the city's representation in the legislature. Under this provision New York county could not have more than one-third of the whole representation in the senate and New York City not more than one-half. Radicals were opposed to the constitution because it did not go far enough, making no provision for the initiative, referendum and recall, minimum wage, old age pensions and other social legislation.

Labor organizations aligned against the basic law change because it considered the short ballot and executive budget proposals tending toward bureaucracy; because judges would be selected not elected; and because in the bill of rights there was no provision definitely declaring that no citizen should be subject to military courts while civil courts are open. The labor party stood for a separate submission of each proposition so voters could make their own selections or this not being conceded then labor's policy was to vote everything down. Teachers were against it because they believed that the home rule provision giving the city authorities complete control of the schools would place their pensions, salary schedules and tenure of office in jeopardy. Others viewed it with distrust as a patch work of the controlling political party with the result that the new constitution embracing much that was good met defeat.

More attention was given the problem of taxation than any other one subject, five States presenting some changes in their present system to the voters. Massachusetts adopted a classified tax on incomes. Maryland and Kentucky gave their general assemblies power to classify property for the purpose of taxation. The Kentucky amendment in addition exempts from taxation bonds of the State and of counties, municipalities, and taxing and school districts and also provides that laws passed pursuant to this subject be referred to the vote of the people if they so desire. An amendment prepared by the Illinois special tax commission of 1911 somewhat similar to the Maryland measure except that it provides for the classification of personal property only, while the Maryland amendment classified personal and real property, now awaits the decision of the Illinois voters. In New York the defeat of the new constitution killed an attempt to abolish indiscriminate and permanent exemptions from taxation and to equalize and harmonize assessments. An amendment giving the California legislature authority to classify property for taxation and also one exempting buildings used for church and social purposes from taxation failed. California voters also refused to deposit the State's public moneys in banks and allow the legislature by a two-thirds vote subject to a referendum or to the will of the people through the initiative, to provide conditions therefor. The legislature of New York State was not given power to reduce the rate of taxation so that no surplus would be piled up in case any rate of taxation previously fixed would if continued provide more than sufficient to pay the interest on the debt and the principle

at maturity. Philadelphia now has a borrowing capacity of ten per cent instead of seven for financing permanent improvements and the city's sinking fund limit is extended to fifty years. Ohio will not exempt bonds of the State or any sub-division issued after 1916 from taxation.

The extension of suffrage to women was turned down at the polls in New York, Massachusetts, Pennsylvania and New Jersey with a majority against in New York of 188,313,<sup>2</sup> in Massachusetts of 133,447, in Pennsylvania of 55,686, and in New Jersey of 51,108. The New York constitutional convention did not take up the suffrage question because of the amendment already pending. South Dakota, Iowa and West Virginia will vote on the suffrage question in 1916.

The voters of Ohio registered a majority of 55,408 in favor of continuing the sale and manufacture of intoxicating liquor and furthermore declined to regulate the traffic therein as provided for in an act referred by petition.

Four States had something to say on the all absorbing topic of the initiative and referendum. Maryland was added to the list of States using the referendum in certain cases on laws passed by the general assembly. In the form presented the referendum can be invoked only on petition of 10,000 voters. It would seem that there would have to be widespread opposition to an act of the legislature to win so large a number of signatures against it. Nevertheless, it is a check upon the legislature and can be used when there is a real need for it and may serve as a restraint of the legislature in considering measures against which it might be invoked. Both Ohio and New Jersey failed to limit the initiative and referendum, the former State by limiting the elections on twice defeated constitutional proposals and otherwise prevent its abuse, the latter by permitting the initiations of a constitutional amendment in any year but providing that a matter once defeated cannot be brought up again for five years. Another proviso of the proposed New Jersey law required that every amendment should be voted on separately in direct contrast to the system in New York State where one hundred thirty-three provisions of the new constitution were submitted in three questions. In this case if a voter disapproved of a single proposed change in each of the three questions, in order to register his disapproval he was compelled to reject the other one hundred thirty changes many of which he may have heartily approved. An amendment in California providing

<sup>2</sup> Exclusive of Oneida County where returns are in litigation.

that no law creating a bonded indebtedness shall be enacted by initiative by electors without the assent of two-thirds of the qualified electors voting thereon, and authorizing the legislature to protect the initiative and referendum petitions from fraud and misrepresentation was rejected. This year California rejected every proposal. In 1914 a huge ballot containing forty-eight proposals was given to the voter and of this number he selected twenty-seven for approval and defeated twenty-one.

A non-partisan government law was referred by petition and defeated in California providing that all offices should be non-partisan except United States senator, representatives in congress, congressional party committeemen, delegates to national party conventions and presidential electors and another defeated referendum measure dealt with the form of the ballot.

The several counties of Maryland and the City of Baltimore were authorized to create charter boards to prepare and submit charters for home rule to the voters of their sub-division for adoption or rejection. California failed to amend her county charter law to provide for election, appointment and tenure of all county officers, number of justices, constables and officers of inferior courts, qualification of all such officers if appointed and creation of additional boards, duties and officers.

The question of what to do with criminals came up in Kentucky and Maryland. In response the voters authorized Kentucky to employ her convicts on the highways of the State and gave the general assembly of Maryland power to enact laws for the suspension of sentence by the court, for any form of indeterminate sentence in criminal cases and for the release upon parole of convicts imprisoned for crime in whatever manner it may see fit.

Social legislation for the laborer was not omitted. The Pennsylvania workmen's compensation law is now compulsory with the employer instead of optional. The general court of Massachusetts at the next session will begin to provide for taking over land in country districts for the purpose of establishing homesteads for those who may wish to escape from the more congested quarters of the city. California voters defeated a measure that would improve her present rural credit system and Pennsylvania voted to incorporate the Torrens system of recording titles in real estate transfers.

Two States failed to pass amendments providing for excess condemnation of property. New Jersey proposed to allow the State, counties, and municipalities to condemn for public improvements

more property than is needed and sell what is not used under restrictions that would require development along certain lines to insure the continued value and character of the improvement made. The California measure was very similar but also would permit the county or municipality to condemn lands within ten miles beyond its boundaries for certain public purposes with the consent of the other county or municipality if such lands lie within it.

Neither Ohio nor New York will have a new congressional apportionment on the basis of the last Federal enumeration, the referendum having been adverse. Ohio did not extend the terms of county officers to four years and California voted down the amendment making the term of office of the superior judges twelve years and also declaring them subject to recall, impeachment and removal proceedings. It was also proposed and defeated in California that when the term of office of a judge of the supreme court, district court of appeal or superior court expires on the first Monday in January following the election, the person appointed by the governor to fill the vacancy should hold for the remainder of the unexpired term for which such judge was elected or appointed.

In Connecticut an amendment increasing the pay of legislators by paying their railway transportation will apparently be ratified by popular vote when all the towns have voted. All except nine of the one hundred sixty-eight towns in the State voted October 4, 1915. Hartford, Bridgeport, New Britain and Ansonia did not have a fall election and are yet to vote. Returns from about one hundred forty of the one hundred fifty-nine towns that voted October 4, show a total of 13,993 for the amendment and 8432 against it.

A tabular presentation of the results of the year's constitution making by popular vote follows:

SUBJECT OF AMENDMENT	STATE	VOTE	
		For	Against
Taxation, finance, etc.....	N. Y. (in new constitution).....	346,922	924,571
Taxation, finance, etc.....	Mass. (classified Income Tax).....	269,871	97,856
Taxations, finance, etc.....	Ky. (classification).....	67,449	35,467
Taxation, finance, etc.....	Md. (classification).....	49,918	26,722
Taxation, finance, etc.....	Cal. (classification).....	42,158	205,597
Taxation, finance, etc.....	Cal. (exempting property).....	94,460	168,171
Public money.....	Cal. Deposit of Public Moneys.....	92,981	151,845
Bonds.....	N. Y. \$27,000,000 Canal Bond Issue.....	625,159	580,242
Bonds.....	N. Y. Altering rate of interest on state debts. . .	430,423	725,784
Bonds.....	Pa. Enlarging Phila's borrowing capacity.....	361,188	191,004
Bonds.....	Ohio Exempting bonds from taxation.....	337,124	401,083

SUBJECT OF AMENDMENT	STATE	VOTE	
		For	Against
Suffrage.....	N. Y.....	553,348	748,332
Suffrage.....	N. J.....	133,282	184,390
Suffrage.....	Pa.....	385,348	441,034
Suffrage.....	Mass.....	162,492	295,939
Prohibition.....	Ohio.....	484,969	540,377
Regulating Liquor Traffic.....	Ohio.....	242,671	355,207
I., R. and R.....	Md. Referendum.....	51,880	24,659
I., R. and R.....	N. J. Limiting Initiative.....	137,092	162,108
I., R. and R.....	Ohio Limiting I. and R.....	417,384	482,275
I., R. and R.....	Cal. Limiting I. and R.....	121,210	127,160
Elections, charters.....	Cal. Non-partisan government law.....	112,681	156,967
Elections, charters.....	Cal. Form of ballot law.....	106,377	151,167
Elections, charters.....	Md. Charter boards (home rule).....	50,436	25,160
Elections, charters.....	Cal. County charters (home rule).....	85,571	152,697
Criminals.....	Ky. Convict labor.....	81,739	37,855
Criminals.....	Md. Parole, indeterminate sentence and suspension of sentence.....	49,338	25,886
Workmens' Compensation.....	Pa.....	487,135	174,168
Homestead Act.....	Mass.....	284,568	95,148
Excess condemnation of property.....	Cal.....	92,048	155,786
Excess condemnation of property.....	N. J.....	125,206	173,755
Torrens Act.....	Pa.....	353,686	178,567
Rural credits.....	Cal.....	124,247	132,320
New Congressional Apportionment Act.....	Ohio.....	271,987	329,095
New Congressional Apportionment Act.....	N. Y. (new constitution).....	361,270	874,690
Terms of officers.....	Ohio 4 years for county officers.....	207,435	604,463
Terms of officers.....	Cal. Superior judges.....	47,229	213,067
Terms of officers.....	Cal. Term of judges filling vacancies.....	124,610	125,124
Pay of legislators.....	Conn.....	Carried	
Constitution.....	N. Y. New constitution.....		
		388,966	893,635

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